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For AF
Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2600

PATENT
ATTORNEY DOCKET NO. 046601-5056

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroyuki SAYUDA

Application No.: 09/629,464

Filed: July 31, 2000

For: IMAGE PROCESSING APPARATUS
AND IMAGE FORMING MEDIUM

) Confirmation No. 5381

) Group Art Unit: 2624

) Examiner: J. Thompson

) **Mail Stop AF**

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop AF
Alexandria, VA 22314

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to Final Office Action dated September 13, 2005.
2. Additional papers enclosed:

Information Disclosure Statement
 Form PTO-1449, _____ references included
 Citations
 Declaration of Biological Deposit
 Others

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---|--------------------------|-------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: **\$120.00**

If an additional extension of time is required, please consider this a Petition therefor.

An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|----------------|-------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 24 | minus | 20 | 4 | x \$50 each = | + \$ 200.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 4 | minus | 4 | 0 | x \$200 each = | + \$ -0- |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$ |
| SUB-TOTAL = | | | | | | \$ 200.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$ |
| TOTAL FEE = | | | | | | \$ 200.00 |

6. Fee Payment

No fee is to be paid at this time.

The Commissioner is hereby authorized to charge \$320.00 (\$120.00 for one-month extension of time fee and \$200.00 for additional dependent claims fee to Deposit Account No. 50-0310).

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


David B. Hardy
Reg. No. 47,362Dated: December 29, 2005

By:

CUSTOMER NO. 09629

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Mail Stop AF
Alexandria, VA 22314

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated September 13, 2005, (Paper No. 20050823), the period for response to which extends through January 13, 2005, with a petition and one-month extension of time fee submitted concurrently herewith, entry of the following amendments is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal: